

# EXHIBIT 3

*Declaration of Leah Godesky*

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION, a Delaware corporation,	)	Case No. 16-cv-1054 (WMW/DTS)
	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>Jury Trial Demanded</b>
	)	
FEDERAL INSURANCE COMPANY, an Indiana corporation, and ACE AMERICAN INSURANCE COMPANY, a Pennsylvania corporation,	)	
	)	
	)	
Defendants.	)	
	)	

**AMENDED SECOND NOTICE OF DEPOSITION UNDER FED.R.CIV.P. 30(b)(6) OF  
FEDERAL INSURANCE COMPANY AND ACE AMERICAN INSURANCE COMPANY**

TO: Federal Insurance Company  
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PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Fair Isaac Corporation (“FICO”) will take the deposition upon oral examination of Defendant Federal Insurance Company and Ace American Insurance Company (“Defendants”) by their designated witness or witnesses regarding the topics identified in Attachment A, attached.

The deposition of Defendants' designee will commence at 9:00 a.m. on Tuesday, January 22, 2019, at Regus, 55 Madison Avenue, Suite 400, Morristown, NJ 07960. The depositions will be taken before and transcribed by a notary public or other officer authorized to administer oaths and record testimony. The testimony will be recorded by stenographic means and may be recorded by videographic means.

Dated: December 31, 2018

MERCHANT & GOULD P.C.

/s/ Allen Hinderaker

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**ATTACHMENT A**

**INSTRUCTIONS**

1. You are required to appear at the taking of a deposition to testify responsive to the following topics. You are required to furnish such information as is available to you, including, but not limited to, information known to your officers, employees, agents, or anyone acting for or on your behalf.

2. If you have no information about the subject of a particular category or if for some reason you are unable to answer it, the response should specifically so state.

3. If you assert a claim of privilege in objection to any topic or question, identify the nature and basis of the privilege claimed, and provide as much of the following information as is not encompassed by the privilege: type; general subject matter and purpose; date; the names of persons making or receiving the communication, and of those present when it was made; the relationship of the named person to the author or speaker; and any other information upon which you may rely to support your claim of privilege or the immunity from discovery.

**30(b)(6) DEPOSITION TOPICS**

1.

1. The version of Blaze Advisor® software used in connection with each application that deployed or deploys Blaze Advisor® (being specific to each application by name), and hosted on servers located in the United States from and after March 31, 2016, to date. If various versions are used, then the date of use of each version.

2. The version of Blaze Advisor® software used in connection with each application that deployed or deploys Blaze Advisor® (being specific to each application by name), and hosted on servers located in Canada, from the date of first use to date. If various versions are

used, then the date of use of each version. For any such application now hosted on servers not located in Canada, the location of the servers upon which such application is now hosted, the name of each such application and the date the migration was completed.

3. The version of Blaze Advisor® software used in connection with each application that deployed or deploys Blaze Advisor® (being specific to each application by name), and hosted on servers located in the United Kingdom, from the date of first use to date. If various versions are used, then the date of use of each version. For any such application now hosted on servers not located in the United Kingdom, the location of the servers upon which such application is now hosted, the name of each such application and the date the migration was completed.

4. The version of Blaze Advisor® software used in connection with each application that deployed or deploys Blaze Advisor® (being specific to each application by name), and hosted on servers located in Australia, from the date of first use to date. If various versions are used, then the date of use of each version. For any such application now hosted on servers not located in Australia, the location of the servers upon which such application is now hosted, the name of each such application and the date the migration was completed.

5. The version of Blaze Advisor® software used in connection with each application that deployed or deploys Blaze Advisor® (being specific to each application by name), and hosted on servers located anywhere other than the United States, Canada, the UK, and Australia, from the date of first use to date. If various versions are used, then the date of use of each version.

2.

6. The performance by ACE American Insurance Company (“ACE American”) of its duties under the Service Agreement and Amendment 1 to Service Agreement (Deposition Exhibit 32) as those duties include support of Blaze Advisor® software and applications that use Blaze Advisor®.

- a) The date employees of Federal, and its division Chubb & Son, became employees of ACE American.
- b) The exercise of rights by Federal to control the performance of ACE American under the Service Agreement and Amendment 1 to Service Agreement (Deposition Exhibit 32).
- c) Identification of each legal entity for whom ACE American supports Blaze Advisor® software and applications that use Blaze Advisor®.

7. The use of FICO’s Blaze Advisor® software by ACE American Insurance Company (“ACE American”), including (a) when that use began and (b) the name of each insurance company legal entity that issues insurance policies in connection with which Blaze Advisor® software and applications that use Blaze Advisor® is used;

- a) With respect to (b): (i) the use related to those companies who are subsidiaries of Federal Insurance Company (“Federal”); (ii) the use related to those companies who are subsidiaries of ACE American; and (iii) the use related to any other companies;
- b) The FICO Blaze Advisor® software applications (identified by name) used in connection with insurance policies issued in the name of ACE American and any subsidiaries of ACE American.
- c) The FICO Blaze Advisor® software applications (identified by name) used in connection with insurance policies issued in the name of Federal and any subsidiaries of Federal.
- d) The FICO Blaze Advisor® software applications (identified by name) used in connection with insurance policies issued in the name of any legal entity not included in (b) and (c) above, including the name of each such legal entity.

3.

8. The use of FICO Blaze Advisor® software and Blaze Advisor® software applications (identified by name) by Federal in connection with insurance policies issued in the name of ACE American and any subsidiaries of ACE American.

9. The FICO Blaze Advisor® software applications (identified by name) used in connection with insurance policies issued in the name of each legal entity that is part of Chubb European Group Limited, including the name of each such legal entity;

- a) The date or approximate date each such legal entity first issued insurance policies in connection with which FICO Blaze Advisor® applications (identified by name) were used, including any changes in the use of FICO Blaze Advisor® applications (identified by name) to date.
- b) The location of the servers on which Blaze Advisor® software and Blaze Advisor® applications are hosted that are used for the benefit of any company in Chubb European Group Limited;
- c) The employer or employers of the persons who use and access Blaze Advisor® software and Blaze Advisor® applications for the benefit of any company in Chubb European Group Limited.
- d) The FICO Blaze Advisor® applications (identified by name) that were used in connection with insurance policies issued in the name of Chubb Insurance of Europe SE, including the date or approximate date that usage stopped.

4.

10. The methodology and rules of decision used to gather the financial information provided in the Second Supplemental Answers to Interrogatory Nos. 17-20, including but not limited to the specific identification of each insurance company whose financial information is included in those Second Supplemental Answers.

11. The methodology and rules of decision used to gather the financial information provided in the Second Supplemental Answer and Third Supplemental Answer to Interrogatory No. 18, including but not limited to the specific identification of each insurance company whose

financial information is included in that Second Supplemental Answer and Third Supplemental Answers.

5.

12. The integration of intake, underwriting, quotation, and fulfillment systems, as well as any other systems used in the sale and renewal of insurance policies (collectively “policy administration systems”), of The Chubb Corporation and ACE Limited into a single system or systems of Chubb Limited.

- a) The integration of access by brokers and agents credentialed by any company directly or indirectly owned by Chubb Limited to (a) policy administration systems of the former The Chubb Corporation, (b) policy administration systems of the former ACE Limited, and (c) policy administration systems of Chubb Limited.

13. The use of Blaze Advisor® and Blaze Advisor® applications in connection with all insurance policies issued by companies formerly directly or indirectly owned by ACE Limited.

6.

14. The methodology and rules of decision to search for and collect documents responsive to Plaintiff Fair Isaac Corporation’s Second Set of Requests for Production of Documents Nos. 55-70.

7.

15. Any assistance by FICO, including identification of the FICO employees, in the installation of Blaze Advisor® software on servers located outside of the United States, including but not limited to the United Kingdom, Canada, and Australia.

8.

16. The functional purpose of each application using Blaze Advisor® software, including but not limited to:



- a) CSI eXpress
- b) Automated Renewal Process (ARP)
- c) CSI eXpress Renewal Rule Maintenance Center
- d) CSI eXpress Renewal What If Simulation Tool
- e) Profitability Indicator
- f) Decision Point
- g) Commercial Underwriting Workstation (CUW)
- h) CIS Claims
- i) Premium Booking
- j) Cornerstone
- k) Individual Rate Modification Application (IRMA)
- l) Texas Accident Prevention System (TAPS)
- m) Claims Connect
- n) Small Commercial
- o) EZER
- p) ADAPT
- q) Adapt-ABL
- r) Evolution
- s) Broker Site
- t) Exari

17. The functional inter-relationship of the following Blaze Advisor® applications and the business units supported by each application:

- a) CSI eXpress, Automatic Renewal Processing, Profitability Indicator, and Decision Point;
- b) CSI eXpress and CIS Claims;
- c) CUW, CSI eXpress, and CIS Claims;
- d) Premium Booking with any other Blaze Advisor® application;
- e) Surety Cornerstone with any other Blaze Advisor® application;
- f) Evolution with any other Blaze Advisor® application;
- g) EZER with any other Blaze Advisor® application;
- h) Adapt with any other Blaze Advisor® application.

**CERTIFICATE OF SERVICE**

I hereby certify that on December 31, 2018, a copy of the foregoing was emailed to the following attorneys of record:

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Dated: December 31, 2018

s/Carol A. Nystrom  
Carol A. Nystrom